

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JUSTIN SKOWRON,	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION
	)	NO. 4:20-cv-10276-TSH
C.H. ROBINSON COMPANY, TFI LINER, INC.,	)	
and ISMAEL LOMELI ALVAREZ d/b/a	)	
LOMELI TRUCKING,	)	
Defendants.	)	

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**PLAINTIFF’S MOTION TO EXTEND SCHEDULING  
ORDER DEADLINES BY NINETY (90) DAYS**

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NOW comes the plaintiff in the above-captioned matter and respectfully requests that the August 3, 2021 scheduling order deadlines be extended by 90 days to allow for the completion of mediation and depositions, if necessary.

As further grounds, the plaintiff states as follows:

1. Discovery in this matter is not complete. The Plaintiff had hoped that the parties would submit this matter for mediation upon completion of the Plaintiff’s deposition. However, the Plaintiff’s deposition was completed at the end of November 2021. The defendants then deposed two other witnesses. The Plaintiff still wishes to submit the matter to mediation, but if the matter does not resolve through mediation, the Plaintiff requests the opportunity to conduct depositions of the defendants and/or their 30(b)(6) designees as per the parties’ original Motion to Extend Scheduling Order Deadlines (See Doc. 72).

2. At the recent status conference, counsel for Ismael Lomeli Alvarez d/b/a Lomeli Trucking advised the Court that his client would not agree to mediation before the Plaintiff submitted his expert disclosures.
3. The Plaintiff is in the process of retaining an expert, Douglas J. Rowland, P.E., but Mr. Rowland cannot generate a report until discovery is complete.
4. The Plaintiff states that there is good cause for the extension because, despite its good faith efforts, the current schedule will not be met and that additional time is necessary to provide expert disclosures, submit the matter to mediation and complete depositions, if necessary.
5. Accordingly, the Plaintiff seeks to extend the discovery deadline in the current Order to May 31, 2022 and adjust all remaining deadlines accordingly, as outlined below.
6. The Plaintiff states that the new deadlines are necessary for the Plaintiff to properly prepare his case for trial in the most cost-efficient manner.
7. On March 14, 2022, Plaintiff's counsel circulated a proposed Joint Motion to Extend Deadlines, but counsel for the defendants all refused to assent to the motion.
8. The Plaintiff has previously agreed to extensions requested by the Defendants and requests the same courtesy.
9. The Plaintiff is not using this motion to cause undue delay.

**WHEREFORE**, for the foregoing reasons, the Plaintiff requests that the Court grant the Plaintiff's motion and enter a new Scheduling Order modifying the current Scheduling Order to the following new deadlines:

- All fact discovery to be completed by May 31, 2022;
- Plaintiff's trial experts must be designated by June 28, 2022;
- Plaintiff's trial experts must be deposed by August 31, 2022;
- Defendants' trial experts must be designated by October 5, 2022;
- Defendant's trial experts must be deposed by November 2, 2022;
- Dispositive Motions must be filed by January 6, 2023.

Respectfully submitted,  
THE PLAINTIFF,  
JUSTIN SKOWRON,  
By his attorneys,

*/s/ Laura A. Demerle*

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Date: 3.17.22

CERTIFICATE OF SERVICE

I, Laura A. Demerle, certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 17<sup>th</sup> day of March, 2022

*/s/ Laura A. Demerle*

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Laura A. Demerle

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Defendants.	)	

**CERTIFICATION PURSUANT TO RULE 7.1**

I hereby certify that I have have conferred and have attempted in good faith to resolve or narrow the issue in compliance with Rule 7.1.

Respectfully submitted,  
THE PLAINTIFF,  
JUSTIN SKOWRON,  
By his attorneys,

*/s/ Laura A. Demerle*

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Laura A. Demerle